

recommendation were timely filed on October 25, 2012.

A de novo review of the record indicates that the magistrate judge's report accurately summarizes this case and the applicable law. Accordingly, the magistrate judge's Report and Recommendation is **AFFIRMED**, and plaintiff's Motion for Preliminary Injunction (ECF No. 40) and Motion for a Writ of Mandamus (ECF No. 38) are **DENIED**.

AND IT IS SO ORDERED.



David C. Norton
United States District Judge

May 10, 2013
Charleston, South Carolina

NOTICE OF RIGHT TO APPEAL

The parties are hereby notified that any right to appeal this Order is governed by Rules 3 and 4 of the Federal Rules of Appellate Procedure

had to be filed within ten (10) days, and he received notice of the consequences at the appellate level of his failure to object to the magistrate judge's report.